

Statement of Intent and Minute 328

The Statement of Intent and Minute 328 are two binational agreements signed by U.S. and Mexican federal agencies in July 2022 as a commitment to reduce transboundary wastewater in the Tijuana River watershed and Pacific Ocean through a suite of infrastructure projects on both sides of the border. These agreements were a result of the Tijuana Binational Wastewater Technical Working Group collaboration which began meeting bi-weekly since September 2021. The agreements include prioritized short- and long-term wastewater infrastructure projects and outline funding sources and a conceptual plan for implementation.

Funding Sources (Implementation of projects are subject to the availability of appropriated funds):

- USMCA Implementation Act
- Border Water Infrastructure Program (BWIP)
- Mexico’s Planning Mechanism (MECAPLAN)
- Mexico’s National Infrastructure Fund
- Federal, state, and local resources authorized by respective authorities and laws of each country

Binational Working Group Members :

- Environmental Protection Agency (EPA)
- Mexico’s National Water Commission (CONAGUA)
- US Section of the International Boundary and Water Commission (USIBWC)
- Mexican Section of the International Boundary and Water Commission (CILA)
- Secretariat for the Environment and Natural Resources (SEMARNAT)
- Secretariat for the Management, Sanitation and Protection of Water of the state of Baja California (SEPROA)
- Tijuana State Public Services Commission (CESPT)
- North American Development Bank (NADB)

Features of the Two Agreements

STATEMENT OF INTENT		MINUTE 328	
Agreement between EPA and CONAGUA	 PARTIES	Agreement between USIBWC and CILA	
Framework for implementing the comprehensive infrastructure solution, identify projects, resources and timelines	 SCOPE	First step in binational implementation of the Statement of Intent framework Includes cost-share on operations and maintenance (O&M) of the International Treatment Plant (ITP) (breakdown shown below)	
Signed July 1, 2022	 TIMING	Signed July 19, 2022, Entry into force on August 18, 2022	

How much do the projects cost and who is paying for what?

SHORT-TERM PROJECTS

Project	Cost*	Contribution	Location
ITP Expansion	\$300		US
New SABTP	\$33		MX
Phase 1: Effluent Reuse	\$20		MX
Tijuana Collector Repairs	\$92		MX
Pump Station Repairs	\$29		MX
Short-term Total	\$474M		

US Contribution Mexico Contribution

LONG-TERM PROJECTS**

Project	Cost*	Location
Further ITP Expansion	\$75	US
Capture of Methane at the ITP	\$21	US
Trash Boom(s) in the Tijuana River	\$2	US
US-side Diversion of the Tijuana River	\$27	US
Advanced Primary Treatment Plant to Treat Flows from the Tijuana River	\$104	US
Convey Flows from the Canyon to the ITP by Gravity	\$31	US, MX
Return Line for Treated Flows from the ITP to Mexico	\$12	US, MX
Phase II: Reuse of La Morita and Arturo Herrera Effluent	\$55	MX
Long-term Total	\$327M	

Short-Term Capital Cost Contributions:

United States: \$330M Mexico: \$144M

NOTES:

*Costs in million US dollars.
 **Respective U.S. and Mexico capital cost contributions for long-term projects will be determined later.

Minute 328: O&M of Short-Term Projects

Projects in U.S.

- Beginning in 2023, Mexico's contribution towards operations and maintenance (O&M) of the International Treatment Plant (ITP) will be ~20%; U.S. to cover remaining ~80% of O&M costs
- Cost sharing of O&M defined through 2032; subsequent Minutes to define future O&M cost sharing
- For any flows above the design capacity, Mexico will pay the full treatment cost at the ITP
- Mexico will continue to dispose of sludge from the expanded ITP

Projects in Mexico

Rehabilitation of Pump Station CILA (PB-CILA):

- Operated and maintained by Mexican section of the International Boundary and Water Commission (CILA)
- O&M expenses to be reimbursed by the U.S. up to an amount determined by the U.S. Section of the International Boundary and Water Commission (USIBWC), contingent on Mexico paying their share of ITP O&M
- Diverted river flows would no longer be conveyed to the ITP without prior approval of the USIBWC once Pump Station 1 improvements are made

Projects in Both U.S. and Mexico

- Details included in future USIBWC Minute(s) as funding is available
- USIBWC and CILA will develop terms of reference to ensure adequate funding for O&M